

REMARKS

Initially, Applicant notes that a communication (entitled "Amendment Under 37 C.F.R. §1.116 in Response to September 8, 2009 Final Office Action"), dated December 1, 2009, in response to the September 8, 2009 final Office Action was filed with the U.S. Patent and Trademark Office, in connection with the subject application.

In the December 11, 2009 Advisory Action, the Examiner indicated that Applicant's December 1, 2009 communication will not be entered because the claim amendments proposed therein (a) raise new issues that would require further consideration and/or search, and (b) **introduce new matter**. See paragraph 3(b) of the December 11, 2009 Advisory Action.

Applicant contacted the Examiner by telephone on January 5, 2010 to verify whether the Examiner indeed considered that the proposed amendments in Applicant's December 1, 2009 communication introduced new matter. In response, the Examiner indicated that Applicant's proposed amendments **may have** introduced new matter.

In the Request for Continued Examination under 37 C.F.R. §1.114 submitted concurrently with this communication, Applicant requests that Applicant's December 1, 2009 communication be entered and considered.

Applicant respectfully submits that the proposed amendments in Applicant's December 1, 2009 communication do not introduce new matter into the original disclosure. As stated in Applicant's December 1, 2009 communication, support for the amendments to the claims can be found in the original disclosure at, for example, pages 31-38 of the specification.

In view of the above, it is respectfully submitted that the subject application is in condition for allowance. Accordingly, it is respectfully requested that the subject application be

allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

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